

UNITED STATES DISTRICT COURT  
for the  
Western District of North Carolina

DAVID HOLMES, HERTA THEBERGE,  
MARGUERITE K. POTTER, and the MARGUERITE  
K. POTTER REVOCABLE TRUST, individually and  
on behalf of all others similarly situated,

*Plaintiff*

**v.**

**Civil Action No. 3:12-cv-00487-MOC**

BANK OF AMERICA, N.A., in its own capacity and as  
successor by merger to BAC HOME LOANS  
SERVICING, L.P., SEATTLE SPECIALTY  
INSURANCE SERVICES, INC., in its own capacity and  
as successor in interest to COUNTRYWIDE

*Defendant*

**SUMMONS IN A CIVIL ACTION**

**TO: (Defendant's name and address)**

Certain Underwriters at Lloyd's, London, including all underwriters at Lloyd's London who  
underwrote force-placed wind insurance policies for Bank of America as the insured during the  
applicable statute of limitations period, c/o Florida Chief Financial Officer as RA, 200 East  
Gaines Street, Tallahassee, FL 32399 and c/o Mendes & Mount, 750 Seventh Avenue, New  
York, NY 10019

**A lawsuit has been filed against you.**

**Within 21 days after service of this summons on you (not counting the day you received it) – or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12(a)(2) or (3) – or 60 days if you are named as a defendant within an asbestos litigation case - you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:**

E. Michelle Drake, Nichols Kaster, PLLP, 4600 IDS Center, 80 S 8th St, Minneapolis, MN 55402

**If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.**



Date **11/1/2012**

Frank G. Johns, Clerk  
United States District Court



Re: 11472-01

STATE OF NEW YORK

AFFIDAVIT OF SERVICE

COUNTY OF NEW YORK

FREDERICK PRINGLE

(Name of Server)

11 / 6 /2012 at 1 : 30 P M

(Date of Service)

(Time of Service)

s(he) served the attached: Summons, Complaint, &amp; Exhibits

upon: Certain Underwriters at Lloyd's, London

therein named, personally at: c/o Mendes & Mount  
750 Seventh Ave  
New York, NY 10019

by handling to and leaving with:

- [ ] the Registered Agent of Certain Underwriters at Lloyd's, London  
[ ] an Officer of Certain Underwriters at Lloyd's, London  
[ ] a Managing Agent, someone within Certain Underwriters at Lloyd's, London whose management capacity is such that (s)he exercises independent judgment and discretion

William J. DIETRICH


(Name of the Person with whom the documents were left)

Attorney

(Title or Relationship)

a true and correct copy thereof.

Subscribed and Sworn to before me

11 / 9 /2012.  
(Signature of Notary)  
(Signature of Server)

JONATHAN T. RIPPS  
NOTARY PUBLIC - STATE OF NEW YORK  
NO. 01RI6109718  
QUALIFIED IN NEW YORK COUNTY  
COMMISSION EXPIRES MAY 17, 2016